

REMARKS

This amendment is presented to supplement the amendment mailed May 5, 2005. Reconsideration of the application is respectfully requested.

A substitute specification is enclosed herewith. No new matter is included.

The word "maxi-sorb" is now in capital letters as requested by the Office. The undersigned has been unable to find a current U.S. trademark registration with the indicated use. The substitute specification does not include the empty spaces complained of by the Office.

Claim 1 has been amended to recite that the antibody or fragment thereof is capable of binding specifically to one or more human or dietary lipases. In an effort to accelerate prosecution, claim 1 has also been amended, without prejudice, to delete the reference to a "functional equivalent." Claim 2 has been cancelled without prejudice in view of the amendment to claim 1. Claim 3 has been amended to depend from claim 1 in view of the deletion of claim 2. Claims 4 and have been amended to use the Markush group language requested by the Office. No change in scope is intended. The Markush language used is intended to be "open ended" language. Claims 4, 5, 7 and 8 have been amended to improve their form by incorporating sequence listings. Claims 3, 4, 5, 9 and 10 have been amended to incorporate the definite article "the" to improve their form. Several of the claims have been amended to read better by replacing "accordance to" with --accordance with--.

The specification is being amended to include sequence identification numbers of the sequences mentioned therein.

With respect to the written description requirement, the claims now recite an antibody or fragment which is capable of binding specifically to one or more human dietary lipases. Examples 1-5 in the specification disclose the production and effectiveness of these antibodies against human dietary lipases (pancreatic lipase - see 2.1, and gastric lipase - see 4.1). Therefore the production, use and effectiveness of the claimed antibody or fragments is adequately described by the specification where the binding to human dietary lipase is exemplified.

The specification describes fully an antibody or a fragment thereof, which comprises a heavy chain variable domain derived from an immunoglobulin naturally devoid of light claims; see page 8, line 20 to page 10, line 29 (original pagination).

Claim 1 has been amended, without prejudice, to recite that the antibodies are capable of binding to one or more human dietary "lipases" rather than one or more human dietary enzymes; it is believed that defining the antibody, or fragment thereof, as having the properties of:

1. binding specifically to one or more human dietary lipases, and
2. comprising a heavy chain variable domain derived from an immunoglobulin naturally devoid of light chains,

fully describes the claimed genus. One skilled in the art is given information on the structure of the antibodies, or fragments thereof, by point 2 above.

As the enzyme to which the antibody, or fragment thereof, binds is now defined as a human dietary lipase, it is submitted that one skilled in the art would well be able to identify it. Its character is fully defined in claim 1; it is a lipase. From the information contained in the amended claim 1, one of skill in the art would be taught what achieves a useful result.

Claims 1, 3-5, 9 and 10 are rejected under 35 USC 112, first paragraph as containing subject matter which was not described in the specification in such a way as to enable one skilled in the art to which it pertains to make and/or use the invention.

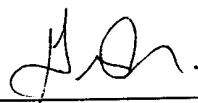
The amended claim 1 recites an antibody or fragment thereof which has a particular structure and which is capable of binding specifically to one or more human dietary lipases. Food products and medicaments comprising these antibodies or fragments thereof are also provided by the present invention.

The specification describes fully how to prepare the claimed antibodies, or fragments thereof (see in particular Examples 1, 2 and 4). The efficiency of these antibodies, or fragments thereof, in inhibiting human lipase activity (which is the desired outcome of the invention) is shown in Examples 3 and 5. Details of food products are given on page 10, last paragraph to page 11, line 14 of the application as filed.

It is submitted that the specification fully discloses how to make and use antibodies, or fragments thereof, which are capable of binding specifically to one or more human dietary lipases as discussed above.

In view of the foregoing, it is respectfully requested that the application, as amended, be allowed.

Respectfully submitted,



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